

EXHIBIT NO. 2
DATE 1/15/09
BILL NO. SB 137, 138, 144, 145

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January 14, 2009

HAND DELIVEREDChairman Joe Balyeat
Senate Business, Labor,
and Economic Affairs Committee
Montana State Capitol
Helena, Montana 59601*Re: Senate Bills 137, 138, 144, and 145 – Supplemental submission*

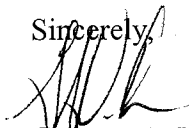
Dear Mr. Chairman and members of the Committee:

Toward the close of the hearing on the above-referenced bills on January 14, 2009, the Chair asked to see documents that insurers might utilize to assess wildland fire risk and/or to educate homeowners living in the wildland urban interface (WUI). I attach for your consideration a Wildland Fire Risk and Hazards Severity Assessment Form, which assigns a numeric value to a residence in the WUI. I am advised that this form is sometimes utilized as a risk assessment tool as well as an educational tool for homeowners. I am also enclosing a copy of a March 26, 2008 letter that I submitted to the interim Fire Suppression Committee which answers specific questions regarding State Farm's efforts to educate its customers who happen to reside in the WUI. I note that the sample letters in the packet appear to be set up for Idaho consumers, however, similar letters are sent to State Farm's Montana customers.

As I have testified during the interim and before this committee, State Farm has undertaken significant effort to educate its policyholders regarding minimizing risk of a catastrophic loss in the WUI. By doing so, State Farm is able to assist its customers in minimizing the risk of loss and, consequently, keeping premiums as low as possible.

Thank you for the opportunity to provide testimony and this supplemental submission. Should you have any questions or concerns, please find me in the halls of the Legislature.

Sincerely,


Gregory A. Van Horssen
GVH/mjm
Enclosures as stated

Policyholder Name: _____ Policy Number: _____

Location Address: _____ Agent/AFO Code: _____

Assessment completed by: _____

Total Points Assigned: _____

Wildland Fire Risk and Hazard Severity Assessment Form

(Assign a value to the most appropriate element in each category and add the point totals)

The hazard assessment rating form was developed by the NFPA Technical Committee for Forest & Rural Fire Protection for inclusion in the NFPA *Standard for Protection of Life and Property from Wildland Fire*. The process reflected in this rating form serves as the principal methodology used to assess the wildland fire risks and hazards in the Firewise Communities Workshops. Some states and jurisdictions may have developed a similar method to assess hazards that are peculiar to their region. You may use this form as is, modify this assessment form to suit your local needs, adopt an existing one, or develop a new one following the guidelines in the publication *Wildland/Urban Interface Fire Hazard Assessment Methodology*. Workshop participants are encouraged to review both these publications for specific fire protection and mitigation measures that may be incorporated into community planning.

| Element | Points | Notes |
|---|--------|-------|
| A. Means of Access | | |
| 1. Ingress and Egress | | |
| a. Two or more roads in/out | 0 | |
| b. One road in/out | 7 | |
| 2. Road width | | |
| a. ≥ 24 ft. | 0 | |
| b. ≥ 20 ft. and < 24 ft. | 2 | |
| c. < 20 ft. | 4 | |
| 3. All-season road condition | | |
| a. Surfaced road, grade $< 5\%$ | 0 | |
| b. Surfaced road, grade $> 5\%$ | 2 | |
| c. Non-surfaced road, grade $< 5\%$ | 2 | |
| d. Non-surfaced road, grade $> 5\%$ | 5 | |
| e. Other than all-season | 7 | |
| 4. Fire Service Access | | |
| a. ≤ 300 feet with turnaround | 0 | |
| b. > 300 feet with turnaround | 2 | |
| c. < 300 feet with no turnaround | 4 | |
| d. ≥ 300 feet with no turnaround | 5 | |
| 5. Street signs | | |
| a. Present—4 in. in size and reflectorized | 0 | |
| b. Not present | 5 | |
| B. Vegetation | | |
| 1. Characteristics of predominate vegetation within 300 ft. | | |
| a. Light (e.g., grasses, forbs, sawgrasses, and tundra) | 5 | |
| b. Medium (e.g., light brush and small trees) | 10 | |
| c. Heavy (e.g., dense brush, timber, and hardwoods) | 20 | |
| d. Slash (e.g., timber harvesting residue) | 25 | |
| 2. Defensible space | | |
| a. 100 ft. of vegetation treatment from the structure(s) | 1 | |
| b. 71-100 ft. of vegetation treatment from the structure(s) | 3 | |
| c. 30-70 ft. of vegetation treatment from the structure(s) | 10 | |
| d. < 30 ft. of vegetation treatment from the structure(s) | 25 | |

| Element | Points | Notes |
|--|--------|-------|
| C. Topography within 300 ft. of structure(s) | | |
| 1. Slope < 9% Low | 1 | |
| 2. Slope 10% to 30% Moderate | 6 | |
| 4. Slope > 31% Severe | 9 | |
| D. Additional Rating Factors (rate all that apply) | | |
| 1 Topographical features that adversely affect wildland behavior | 0-5 | |
| 2. Areas with a history of higher fire occurrence than surrounding areas due to special situations (e.g., heavy lightning, railroads, escaped debris burning, arson) | 0-5 | |
| 3. Areas periodically exposed to unusually severe fire weather and strong dry winds | 0-5 | |
| 4. Separation of adjacent structures that may contribute to fire spread | 0-5 | |
| E. Roofing Assembly | | |
| 1. Roof rated A, B, or C | 0 | |
| 2. Nonrated roof | 25 | |
| F. Building Construction | | |
| 1. Materials (predominate) | | |
| a. Noncombustible/fire resistive siding, eaves & deck | 0 | |
| b. Noncombustible/fire resistive siding, combustible deck | 5 | |
| c. Combustible siding and deck | 10 | |
| 2. Building setback relative to slopes of 30% or more | | |
| a. ≥ 30 ft. to slope | 1 | |
| b. < 30 ft. to slope | 5 | |
| G. Available Fire Protection | | |
| 1. Water Source Availability | | |
| a. Pressurized water source availability | | |
| 500 gpm hydrants ≤ 1000 ft. apart | 0 | |
| 250 gpm hydrants ≤ 1000 ft. apart | 1 | |
| b. Non-pressurized water source availability (off site) | | |
| ≥ 250 gpm continuous for 2 hours | 3 | |
| < 250 gpm continuous for 2 hours | 5 | |
| c. Water unavailable | 10 | |
| 2. Organized Response Resources | | |
| a. Station ≤ 5 miles from structure | 1 | |
| b. Station > 5 miles from structure | 3 | |
| 3. Fixed Fire Protection | | |
| a. Sprinkler system | 0 | |
| b. None | 5 | |
| H. Placement of Gas and Electric Utilities | | |
| 1. Both utilities underground | 0 | |
| 2. One underground, one above ground | 3 | |
| 3. Both above ground | 5 | |
| I. Totals for Home or Subdivision (Total for all above points) | | |

| | |
|---------------------|--------------|
| Hazard Assessment | Total Points |
| 1. Low hazard: | < 40 |
| 2. Moderate hazard: | 40-69 |
| 3. High hazard: | 70-112 |
| 4. Extreme hazard: | > 112 |

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March 26, 2008

Chairman Bill Wilson
Wildland Urban Interface Subcommittee
Fire Suppression Interim Committee
P.O. Box 201706
Helena, Montana 59620-1706

Mr. Chairman:

As you know, I represent State Farm Insurance Company in Montana regarding legislative issues. Recently, you asked representatives of the insurance industry to respond to a series of questions posed by the Interim Committee on Fire Suppression. State Farm's responses are set out below.

In addition to its responses to the specific questions from the Committee, State Farm includes herewith, a packet of information which should demonstrate the proactive efforts that this company has undertaken, for years, on the issue of fire prevention/suppression in the wildland/urban interface. After reviewing the responses and attached materials, should you or anyone on the Committee have any questions, please feel free to contact me.

1. What are some companies/institutions doing to incentivize clients who live in the WUI to build to certain standards and maintain the property around the home?

Answer: State Farm does not offer discounts to incentivize policyholders who live in the WUI who take action to minimize the risk to wildfire loss to their property. However, *State Farm has invested resources that serve to incentivize policyholders and other interested parties in different ways.* Several years ago we implemented a Wildfire Loss Mitigation and Education Program to accomplish the following (similar programs now exist in most western states):

a. Protect the lives, homes, and personal property of our policyholders. Going through a catastrophic loss, such as losing your home in wildfire, can be a traumatic event in one's life. In addition, some property can never be replaced - such as items of sentimental value, family pictures and so forth. State Farm has invested resources to help our policyholders minimize the potential for our insured to need to go through such a catastrophic event.

We have assessed thousands of homes for wildfire risk and have worked with our agents and policyholders to take needed action to protect their home from wildfire.

b. Create a safer environment for fire and emergency officials who respond to wildfire. Through our wildfire program, we have been able to work with thousands of policyholders to take the necessary action to protect their home from wildfire loss. By doing so, we have helped create an environment where more homes have their house numbers clearly posted, where cleared road access has been created, and where access to the property itself for fire trucks has been underwritten. Most importantly, it is our intent that fire and emergency officials may not need to respond to one of our policyholders, as they have taken the needed action to minimize their wildfire risk.

c. Educate our customers who live in the WUI about the dangers associated with wildfires and how they can better protect themselves. We have sent to policyholders in the WUI letter outlining action they can take to protect their property. We've included internet sites they can use as another resource for reducing wildfire risk. We've also provided a Firewise brochure to assist our policyholders. Some of those materials are provided with this submission.

In addition, we've offered multiple classes to our agent and team members on wildfire loss mitigation, so that they can use this information to help policyholders. Our Zones Wildfire Coordinator (as in other Zones) has visited many locations in our Zone to educate our agents. In addition he has attended town hall meetings, presented at public forums, and partnered with various local wildfire authorities - all in an effort to build partnerships, understanding, and cooperation to help our policyholders protect themselves and their property.

d. Reduce the potential of future loss from wildfire within our Zone. By reducing losses in our zone, we can in turn, make insurance premiums more affordable to our policyholders.

2. How do those companies define the WUI?

Answer: State Farm has partnered with a third party who specializes in building models to assist insurance companies and others in identify areas with catastrophic loss potential. In regards to wildfire, they review the following to develop wildfire risk levels (1, 2, 3, 4 - Four would be the highest wildfire risk).

- Digital Elevation Model (DEM), created by the US Geological Survey, identifies elevation and provides the attributes of slope and aspect
- Satellite Imagery classifies and groups land cover into one of thirteen National Forest Fire Laboratories' (NFFL) fuel

- Vegetation Condition Class (historic vegetation patterns for an area) from the USDA Forest Service

By utilizing the data sources above which determine the wildfire risk level. We feel that homes located in wildfire risk areas three and four constitute a majority of risks in the WUI.

3. What are the incentives for the company to have these programs -- obviously it could reduce losses, but isn't there a risk that an insured who doesn't want to pay extra or maintain the property will just find another company?

Answer: Yes, there is the risk of losing customers from this program. But we feel the benefits in number one above outweigh the possible loss of a customer. We have not lost many customers to this program. Our agents have done a good job of explaining the program to their customers and how it benefits them. When we have had an upset customer, it has been more because they do not understand our wildfire program, than because they are unwilling to take needed action. Most policyholders who live in the WUI have been cooperative. Our goal is to keep the property insured with us with the needed improvements - not to cancel policyholders.

4. Is there interest in --or movement toward--expanding the industry's role in helping mitigate loss to property owners in the WUI, given increasing movement to those areas and higher-intensity fires?

Answer: Certainly, State Farm has an interest in continuing our role in helping our policyholders mitigate loss to their property. We feel our Wildfire Loss Mitigation and Education Program will continue to serve to help us write profitable business and maintain affordable rates, as we continue to see increased movement in the WUI.

5. If the legislature were to require some type of statewide designation of the WUI and imposition of certain standards for building there, what might the implications be from the industry's perspective?

Answer: It may serve to support our efforts to mitigate wildfire loss in the WUI for two reasons:

- A. It would provide us one consistent way of identify the WUI for all interested parties.
- B. By imposing state imposed standards for building in the WUI, the long term implication would be good from the policyholder and State Farm. Establishing standards could reduce wildfire risk, and support efforts already in place by State Farm.

6. Sen. Lewis asked me to look into what Gov. Schwarzenegger is proposing in California -- a surcharge on insurance transactions to help pay for firefighting costs. What's your take on that?

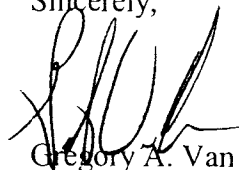
Answer: At this time State Farm is studying Governor Schwarzenegger's California proposal. The proposal is receiving strong opposition from several factions in California, including the California Department of Insurance. Traditionally, State Farm has strongly opposed efforts to

Chairman Bill Wilson
March 26, 2008
Page 4

place surcharges on policies in order to fund governmental needs. State Farm believes that governmental public services such as fire control/suppression should be funded by the broadest base possible instead of by the insurance buying public.

Thank you for the opportunity to respond to Committee concerns. I look forward to further discussions on this important topic.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Van Horssen', with a stylized flourish at the end.

Gregory A. Van Horssen

GVH/mjm
Enclosures

cc: David Adams
(w/o encls.)

State Farm Insurance Companies®



DOCUMENT HAS BEEN TRANSMITTED TO AGENT
December 28, 2007

DuPont Operations Center
P.O. Box 5000
DuPont, Washington 98327-5000

|||||

RE: Policy Number: [REDACTED]
Policy Type: Homeowners Policy
Location: [REDACTED]

Dear Policyholder:

At State Farm® we strive to help our customers manage the risks of everyday life. The safety of your family, home, and property is important to us, so we would like to share some important information with you regarding wildfire.

Due to forest fuel conditions and community growth into traditionally natural areas, the threat of wildfire to lives and property is increasing. In working with wildfire experts, we believe your property is in an area where significant risk exists from the hazard of wildfire.

Thousands of properties have burned in the last 10 years, threatening lives and causing hundreds of millions of dollars in losses. These losses are significant, and we feel obligated to address the situation. As such, we are initiating a Wildfire Mitigation and Education Program and would like your participation. To protect yourself and/or your property, we suggest you take the following to reduce your risk exposure to wildfire:

Create a survivable space around your property, and encourage your neighbors to do so around their homes (See enclosed brochure).

Consider using fire-resistant building materials (especially on your roof).

Make sure your house is identifiable from the street.

Work with local officials to ensure your access road is 25 feet wide so fire-protection services can access your property.

Consider contacting Keep Idaho Green (www.keepidahogreen.org) for a hazard assessment of your property or additional information.

We hope you will take time over the next few months to accomplish these items as necessary on your property. Within the next twelve months we plan to conduct a visual survey of your property to evaluate your risk exposure to wildfire and continued eligibility.

We are committed to working with you to prevent or limit wildfire danger and damage because we appreciate your business and value our relationship with you. Together we can create a community that is safer and more resistant to wildfire.

If you have any questions, please contact your State Farm® Agent Corry Perkins at (208) 377-0991.

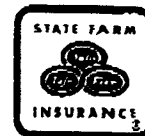
Sincerely,

Underwriting Department
State Farm Fire and Casualty Company

Enc. Brochure

CC: Corry Perkins-1306-12

State Farm Insurance Companies®



March 11, 2008

DuPont Operations Center
P.O. Box 5000
DuPont, Washington 98327-5000

STATE FARM POLICYHOLDER
[REDACTED]

RE: Policy Number : [REDACTED]
Policy Type : Homeowners Policy
Location : [REDACTED]

Dear Policyholder:

Earlier this year, we sent a letter and brochure to all policyholders who own property in potential wildfire areas. Our intent is to provide information on creating a defensible space around your home, to increase the chance of your home surviving a wildfire, and to better protect your family and/or your tenants.

As part of our continuing support of this effort, we will be using criteria provided by the National Fire Protection Agency to evaluate your home and property for susceptibility to wildfire. We will be sending a representative on behalf of State Farm® to your property in the near future. This representative will take a few photos of the exterior of your home and the surrounding property.

Once our underwriting department reviews the results of the survey, we will contact you if there are any specific wildfire mitigation recommendations.

If you have any concerns or questions, please call your State Farm® agent, Bob Hunt, at (208) 232-4970.

Sincerely,

Wildfire Inspection Department
State Farm Fire and Casualty Company

CC: Bob Hunt 1278-12-F467

HOME IGNITION ZONE

The Home Ignition Zone begins with at least 30 feet of space immediately around the home and extending out as far as 100 to 200 feet depending on the characteristics of the surrounding forests or grasslands. Creating and maintaining the Home Ignition Zone reduces or eliminates ignition hazards presented by vegetation (by thinning or spacing, removing dead leaves and needles and pruning shrubs and tree branches) and combustible construction (wooden porches, decks, storage sheds, outbuildings, swing sets and fences).

Don't let vegetation become a wildfire hazard. Remove dead leaves and needles, and prune shrubs and tree branches.

LESS, CLEAN, AND SPACED LANDSCAPING


With Firewise landscaping, you can create survivable space around your home that reduces your wildfire threat. Prune large trees so that the lowest branches are at least 6 to 10 feet high to prevent a fire on the ground from spreading to the tree tops. Within the Home Ignition Zone, remove flammable plants that contain resins, oils, and waxes that burn readily: ornamental junipers, pauon, holly, red cedar, and young pine. A list of less-flammable plants can be obtained from your local state forester, forestry office, county extension office, or landscape specialist.

Don't let dead leaves, brush, and other combustible materials become a wildfire hazard.

FIRE-RESISTANT ROOF CONSTRUCTION

Firewise roof construction materials include Class-A asphalt shingles, metal, slate or clay tile, and concrete products. The inclusion of a fire-resistant subroof adds protection. Make a periodic inspection looking for deterioration such as breaks and spaces between roof tiles. Keep the roof, gutters, and eaves clear of leaves and other debris. Make sure under-eave and soffit vents are as close as possible to the roof line. Box in eaves, but be sure to provide adequate ventilation to prevent condensation and mildew.

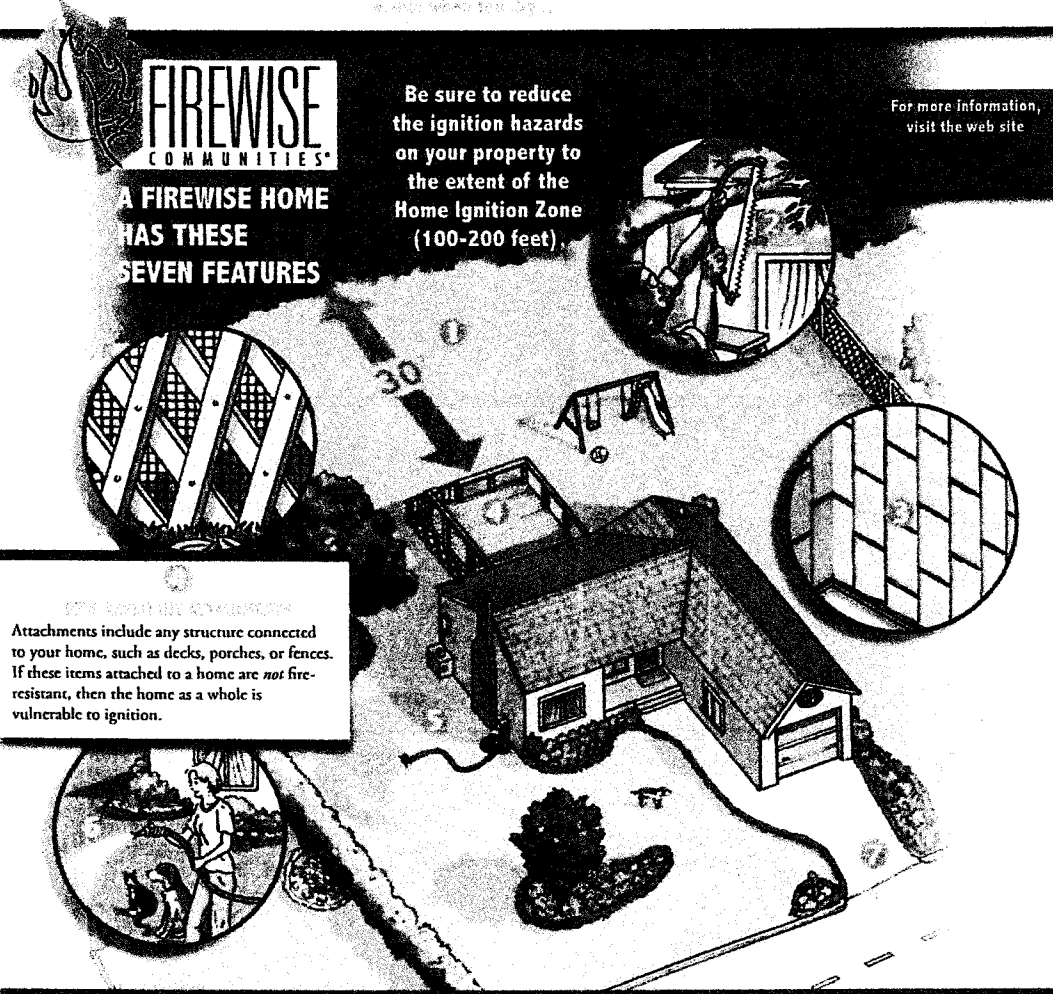
Don't forget to inspect your roof, gutters, eaves, and soffit for debris and damage.



A FIREWISE HOME HAS THESE SEVEN FEATURES

Be sure to reduce the ignition hazards on your property to the extent of the Home Ignition Zone (100-200 feet).

For more information, visit the web site



FIRE-RESISTANT ATTACHMENTS

Attachments include any structure connected to your home, such as decks, porches, or fences. If these items attached to a home are not fire-resistant, then the home as a whole is vulnerable to ignition.

Don't let attachments become a wildfire hazard. Remove dead leaves and needles, and prune shrubs and tree branches.

EMERGENCY PLAN

The time to plan for any emergency is prior to the event. Take time to discuss with your family what actions you will take. Post emergency telephone numbers in a visible place. Leave before it is too late. Decide where you will go and how you will get there. Have tools available (shovel, rake, axe, handsaw, or chain saw). Maintain an emergency water source. Have a plan for your pets. Practice family fire drills.

Don't let an emergency become a wildfire hazard. Have a plan for your family and pets.

EMERGENCY DRIVWAY

Identify your home and neighborhood with legible and clearly marked street names and numbers. Include a driveway that is at least 12 feet wide with a vertical clearance of 15 feet and a slope of less than 5 percent to provide access to emergency vehicles.

Don't let an emergency become a wildfire hazard. Have a plan for your family and pets.

BE FIREWISE™ AROUND YOUR HOME

BE FIREWISE™ AROUND YOUR HOME

FIREWISE COMMUNITIES

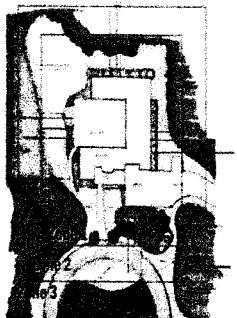
Have these helpful checklists for Firewise Landscaping and Firewise Construction.

Seven features of Firewise homes...

REMINDERS FOR FIREWISE™ LANDSCAPING

When designing and installing a Firewise landscape, consider the following:
Local area fire history • Site location and overall terrain • Prevailing winds and seasonal weather • Property contours and boundaries • Native vegetation • Plant characteristics and placement (duffage, water and salt retention ability, aromatic oils, fuel load per area, and size) • Irrigation requirements • Give yourself added protection with "fuel breaks" like driveways, gravel walkways, and lawns •

To create a Firewise landscape, the primary goal is fuel reduction. To this end, initiate the zone concept. Zone 1 is closest to the structure; Zones 2-4 move progressively further away.
Zone 1: This well-irrigated area encircles the structure for at least 30 feet on all sides, providing space for fire suppression equipment in the event of an emergency. Plantings should be limited to carefully spaced low flammability species.
Zone 2: Low flammability plant materials should be used here. Plants should be low-growing and the irrigation system should extend into this section.
Zone 3: Place low-growing plants and well-spaced trees in this area, remembering to keep the volume of vegetation (fuel) low.
Zone 4: This furthest zone from the structure is a natural area. Selectively prune and thin all plants and remove highly flammable vegetation.



When maintaining a landscape:

- Mow the lawn regularly, and dispose of cuttings and debris promptly, according to local regulations.
- Be sure the irrigation system is well maintained.
- Use care when refueling garden equipment; maintain equipment regularly; store flammable liquids properly.
- Become familiar with local regulations regarding vegetation clearances, disposal of debris, and fire safety requirements for equipment.

Use these tips to prepare your home and protect your family and pets.

The National Firewise Communities Program provides wild-land/urban interface resources for firefighter safety, community planning, landscaping, construction, and maintenance to help protect people, property, and natural resources from wildfire. More information is available from the Firewise website at www.firewise.org.

FIREFIGHTERS NEED YOUR HELP!



REMINDERS FOR FIREWISE™ CONSTRUCTION

When constructing, renovating, or adding to a Firewise home, consider the following:

- Choose a Firewise location.
- Design and build a Firewise structure with fire resistant materials.
- Employ Firewise landscaping and maintenance.

To select a Firewise location, observe the following:

- Slope of terrain; be sure to build on the most level portion of the land, since fire spreads more rapidly on even minor slopes.
- Set your one-story structure at least 30 feet back from any ridge or cliff; increase distance if your home will be higher than one story.

In designing and building your Firewise structure, the primary goals are fuel and exposure reduction. Therefore:

- Use construction materials that are fire-resistant or non-combustible whenever possible.
- For roof construction, consider using materials such as Class-A asphalt shingles, slate or clay tile, metal, cement and concrete products, or terra-cotta tiles. A fire-resistant sub-roof can also add protection.
- On exterior wall facing, fire-resistant stucco or masonry may be much better choices than vinyl, which can soften and melt.
- Window materials and size are important. Smaller panes hold up better in their frames than larger ones. Double pane glass and tempered glass are more reliable and effective heat barriers than single pane glass. Plastic skylights can melt.
- Install non-flammable shutters on windows and skylights.
- To prevent sparks from entering your home through vents, cover exterior attic and under-floor vents with wire screening no larger than 1/8-inch mesh.
- Provide at least two ground-level doors for easy and safe exit, and at least two means of escape (i.e., doors or windows) in each room so that everyone has a way out.

Any structures attached to the house, such as decks, porches, fences, and outbuildings should be considered part of the house. These structures can act as fuel bridges, particularly if constructed from flammable materials.

Therefore, consider the following:

- If you wish to attach an all-wood fence to your house, use masonry or metal as protective barriers between the fence and house.
- Use metal when constructing a trellis and cover it with high-moisture, low flammability vegetation.

- Prevent combustible materials and debris from accumulating beneath patio decks or elevated porches. Screen or box-in areas below patios and decks with wire screening no larger than 1/8-inch mesh.
- Make sure an elevated wooden deck is not located at the top of a hill where it will be in direct line of a fire moving up-slope. Consider a terrace instead.



Firewise website visitors can view streaming video and also download checklists, school educational materials, and other information. Visitors can browse an extensive list of helpful links and use a searchable library of national, state, and local documents on a wide range of wildland safety issues. Visitors can also find their state Firewise Communities liaison to contact for assistance in hazard mitigation and planning.



For more information contact:
FIREWISE COMMUNITIES
1 Batterymarch Park
Quincy, MA 02169
www.firewise.org